

**WRITTEN QUESTION TO THE MINISTER FOR THE ENVIRONMENT
BY DEPUTY M.B. ANDREWS OF ST. HELIER NORTH
QUESTION SUBMITTED ON MONDAY 26th JUNE 2023
ANSWER TO BE TABLED ON MONDAY 3rd JULY 2023**

Question

“Will the Minister advise whether he has considered, or is considering, establishing a Planning Appeals Board; and if not, why not?”

Answer

The term ‘Planning Appeals Board’ is not a defined term within the current Planning and Building (Jersey) Law 2002, and has not been used as a term within the last consideration of the appeal system in 2014 when the then Minister for Planning and Environment presented the [Draft Planning and Building \(Amendment No. 6\) \(Jersey\) Law 201-](#) following the approval by the States Assembly of [P.87/2013: “Planning Appeals: revised system”](#).

Currently, all planning appeals and planning inquiries are considered by an independent planning inspector. They are then determined by me or my Assistant Minister. If the appellant feels aggrieved by the ministerial decision, then an appeal to the Royal Court is allowed (but only on points of law).

Following an amendment to the Planning and Building Law 2002 that was passed in 2022, I am able to form a Determining Panel to consider the determination of a Planning Inquiry. The first such Determining Panel was constituted by me earlier this year to consider the South West St Helier (Waterfront) planning application.

The system for making an appeal which resulted from the changes made in 2013 continues to provide the public with an effective and affordable route to making an appeal against a planning or building decision. Amending the current system is not currently under consideration, however I am committed to improving Planning Services and I will remain open to a review of the planning appeals process should it be shown to be in the interest of the public.